UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK		
AUTOMATED TRANSACTIONS LLC,	· X	
Plaintiff,	:	09-CV-09669 (SHS)
V.	:	
ASTORIA FINANCIAL CORPORATION and, ASTORIA FEDERAL SAVINGS AND LOAN ASSOCIATION,	:	
Defendant.	: :	

## <u>DEFENDANT'S NOTICE OF MOTION FOR SUMMARY JUDGMENT OF NON-INFRINGEMENT</u>

Defendant Astoria Federal Savings and Loan Association ("Astoria") hereby gives notice and moves under Federal Rule of Civil Procedure 56 for summary judgment of non-infringement of all asserted claims of the four Automated Transactions LLC ("ATL") patents-in-suit.<sup>1</sup>

<sup>&</sup>lt;sup>1</sup> The patents-in-suit are U.S. Patent Nos. 7,575,158 ("the '158 patent"), 7,600,677 ("the '677 patent"), 7,699,220 ("the '220 patent"), and 7,597,248 ("the '248 patent").

Dated: July 18, 2012

By: /s/ Mark C. Nelson

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## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on July 18, 2012 I electronically filed the foregoing:

## DEFENDANTS' NOTICE OF MOTION FOR SUMMARY JUDGMENT OF NON-INFRINGEMENT

with the Clerk of the Court by using the CM/ECF System which will serve all counsel of record by notice of electronic filing.

By: <u>/s/ Mark C. Nelson</u>
Mark C. Nelson